

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Shepard, et. al.

Plaintiff(s),

-against-

O'Connell

Defendant(s).  
-----X

04 Civ. 7058 (MBM)(FM)

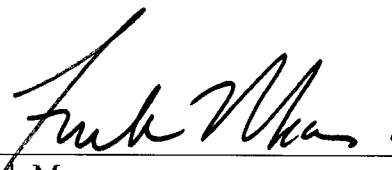
ORDER OF DISCONTINUANCE

It having been reported to this Court that the above entitled action has been settled, and the parties and their counsel having consented to the undersigned exercising jurisdiction over this case for the limited purpose of entering this Order of Discontinuance, it is hereby

ORDERED that said action be and hereby is, discontinued ~~with/without~~ prejudice and ~~with/without~~ costs; provided, however, that within 30 days of this date of the order, counsel for plaintiff may apply by letter for restoration of the action to the active calendar of the court, in which event the action will be restored.

DATED: New York, New York

November 29, 2004



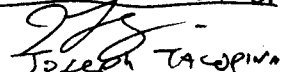
Frank Maas

United States Magistrate Judge



Attorney(s) for Plaintiff

Thomas M. Mallon

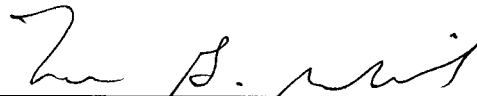
  
Joseph T. Scapino

Agreed and Consented to:

Shirley x Shirley Shepard

x Andrea Shepard

Andrea  
Shepard



Attorney(s) for Defendant

E. P. SCHAFTEL

Agreed and Consented to:



B. Young, Bus. Mgr.  
X